

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

JULIO FRANCO ET AL.

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CR. No. 03-10383-RGS

GOVERNMENT'S ASSENTED-TO MOTION FOR CONTINUANCE

The United States of America, though its undersigned counsel, respectfully submits this assented-to motion for a continuance of its time to respond to the Motions To Suppress Evidence filed by defendants Domingo Vega and Jose Santiago. In support of this motion, the undersigned states the following:

1. On March 18, 2004, defendants Vega and Santiago were given until May 3, 2004 to file any suppression motions. On or about May 3, 2004, defendant Vega filed his Motion to Suppress Fruits of Illegal Search and Seizure and Statements Obtained Therefrom. On the same date, defendant Santiago filed his Memorandum in Support of Motion To Suppress Evidence. The government's responsive pleading to both motions is due on May 17, 2004.

2. Defendants' motions to suppress raise several factual issues involving the actions of a number of law enforcement officers, as well as various legal issues. During the past two weeks since the filing of defendants' motions, the undersigned has been unable to fully research the factual and legal issues arising from the defendants' motions due to extreme workload

issues in the unit which he supervises, as well as his own individual and supervisory workload, including several unexpected and time-sensitive wiretap applications. In addition, the undersigned had previously scheduled work-related commitments that required him to be out of the office for several days during the past two weeks and will be on business travel several days this coming week.

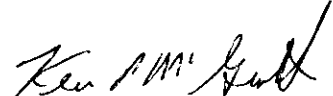
3. Accordingly, the government requests a two week continuance of its time to respond to defendants' motions to suppress, to permit the government sufficient time to address the factual and legal issues raised by the motions. Joseph Machera, Esq., attorney for defendant Santiago, and Charles Clifford, Esq., attorney for defendant Vega, have been advised of this motion and have assented to it on behalf of their respective clients.

Wherefore, the government respectfully requests that the Court grant this motion allowing the government until June 1, 2004 to respond to defendants' motions to suppress.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:



KEVIN P. MCGRATH
Assistant U.S. Attorney

SO ORDERED:


RICHARD G. STEARNS
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
May 17, 2004

I, KEVIN P. MCGRATH, Assistant U.S. Attorney, do hereby certify that I have served the copy of the foregoing, by first class mail, to: Charles Clifford, Esq., 305 Main Street, Charlestown, MA, 02129, and Joseph Machera, Esq., 220 Beach Street, Revere, MA 02151.



KEVIN MCGRATH
Assistant U.S. Attorney